

REMARKS

The claims have been amended to more particularly point out and distinctly claim applicant's invention. In particular, independent claim 1 has been amended to provide antecedent basis for language in claims 1 and 3. This amendment is fully supported by the application as filed, and presents no new matter.

Claims 1-10 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed as applicable to the claims as amended.

The Examiner notes that in claim 1, the term "the insoluble matter" lacks antecedent basis. Claim 1 has been amended to provide the missing antecedent basis.

The Examiner further notes that in claim 3, the term "the main . . . acid" lacks antecedent basis. Claim 1, from which claim 3 depends, has been amended to supply the missing antecedent basis.

The Examiner also notes that in claim 8, the term "the protein used" lacks antecedent basis. Claim 8 has been cancelled.

Claim 6 stands rejected under 35 U.S.C. 102(b) as being anticipated by any one of applicants' own admission (referencing page 1 of the present specification), WO 97/49298 or WO 99/03892.

This rejection is respectfully traversed, and reconsideration and withdrawal of the rejection as applicable to the amended claims are respectfully requested.

However, in the interest of expediting the prosecution of the present application, claim 6 has been cancelled without prejudice to pursuing the subject matter of claim 6 in a continuing application.

Serial No. 10/049,570
December 1, 2003

Claims 7-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over WO 97/49298. This rejection is likewise respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested.

In the interest of expediting the prosecution of the present application, claims 7-12 have also been cancelled without prejudice to pursuing the subject matter of these claims in a continuing application.

Applicants gratefully note that the Examiner has stated that claim 1 would be allowable if it were rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth by the Examiner. Claim 1 has been amended to overcome that rejection, and allowance of claim 1 is therefore respectfully requested.

Applicants also gratefully note that the Examiner has stated that claims 2-5 would be allowable if they were rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth by the Examiner, and to include all the limitations of the base claim and any intervening claims. Claim 4 has been amended to address the rejection entered under 35 U.S.C. 112, second paragraph. Accordingly, allowance of claims 2-5 is also respectfully requested.

As the present application is now believed in condition for allowance, entry of the proposed amendments, early reconsideration and allowance of all claims presently in the application are earnestly solicited.

December 1, 2003

Order No. 1906

Respectfully submitted,



Alex R. Sluzas
Reg. No. 28,669
PAUL AND PAUL
Suite 2900
Two Thousand Market Street
Philadelphia, PA 19103
215-568-4900